

AMENDMENTS TO LB 143

(Amendments to Final Reading copy)

1           1. Insert the following new section:

2           "Sec. 3. Passenger tire equivalent of waste tires means  
3 twenty pounds of waste tire or processed waste tire.".

4           2. On page 2, lines 3 and 10, strike "section 3" and  
5 insert "sections 3 and 4"; in line 25 strike "establishing" and  
6 insert "defining beneficial reuse and establishing construction  
7 standards and other"; in line 26 strike "(a) the", show as  
8 stricken, and insert "the following: (a) The"; and in line 28  
9 strike the last comma, show as stricken, and insert an underscored  
10 semicolon.

11          3. On page 3, line 5, strike the second comma and insert  
12 a semicolon; and in line 7 after the period insert "In developing  
13 construction standards, the council shall consider standards and  
14 practices established by the American Society for Testing and  
15 Materials.".

16          4. On page 4, strike beginning with "Any" in line 10  
17 through line 18, show the old matter as stricken, and insert "Any  
18 person, business, or other entity engaged in the business of  
19 picking up, hauling, and transporting scrap tires for storage,  
20 processing, or recycling shall obtain a permit from the department  
21 before engaging in such activity. The council may adopt rules and  
22 regulations regarding such permits and may exempt from permit  
23 requirements those entities having involvement with scrap tires

1 which is incidental to their primary business activity. Persons  
2 holding a permit on the effective date of this act may continue to  
3 operate under such permits until new rules and regulations are  
4 established under this section. As a condition for obtaining a  
5 permit under this section, the department shall require the  
6 permittee to provide the department with an annual report  
7 indicating the number of scrap tires hauled, the location of the  
8 delivery of such scrap tires, and any additional information the  
9 council believes necessary to accomplish the purposes of the  
10 Integrated Solid Waste Management Act."

11 5. On page 5, line 10, after "(3)" insert "(a)"; and in  
12 line 13 after the last "tire" insert ";

13 (b) On and after September 1, 2003, placing or causing  
14 the placement or disposal of scrap tires in any form into the  
15 waters of the state is prohibited except as provided in section  
16 13-2033; and

17 (c) Tires are not considered disposed if they are (i)  
18 processed into crumb rubber form and reused or recycled in  
19 manufactured products such as, but not limited to, products used  
20 for schools, playgrounds, and residential, lawn, and garden  
21 applications, (ii) used as tire-derived fuel, (iii) retreaded, (iv)  
22 processed into chip or shred form and used as drainage media in  
23 landfill construction or septic drain fields, (v) used as a raw  
24 material in steelmaking, or (vi) processed into shred form and used  
25 as an alternative daily cover in a landfill or for a civil  
26 engineering project if such project is designed and constructed in  
27 compliance with the Engineers and Architects Regulation Act and

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- 1 prior approval for such project is obtained from the department by  
2 the tire shredder and the end user, except that departmental  
3 approval is not necessary for a tire project involving three  
4 thousand five hundred or fewer passenger tire equivalents of waste  
5 tires if the department receives notification of the project not  
6 later than thirty days prior to any construction on such project.  
7 The notification shall contain the name and address of the tire  
8 shredder and end user, the location of the project, a description  
9 of the type of project, the number of passenger tire equivalents of  
10 waste tires to be used, and any additional information the council  
11 determines is necessary to accomplish the purposes of the  
12 Integrated Solid Waste Management Act".
- 13           5. On page 16, line 9, strike the new matter and  
14 reinstate the stricken "one million".
- 15           6. On page 17, line 21, after "collection" insert "and  
16 disposal".
- 17           7. Renumber the remaining sections accordingly.